In the High Court of Uttaranchal at Nainital.

Writ Petition No.262 (S/B) of 2004

Jai Prakash Yadav S/o Late G.P. Yadav
Principal, Govt. Inter College Horawala,
Via- Sahspur, District Dehradun …Petitioner.

Vs.

1- State of Uttaranchal through Secretary,
Madhyamik, Shiksha, Secretariat
Dehradun.

2- Addl. Chief Secretary/Principal Secretary
Uttaranchal, at Dehradun.

3- Additional Director of Education,
Uttaranchal, Dehradun ……Respondents.

Sri Lokpal Singh, learned counsel for the petitioner.
Sri N.C. Gupta, learned Standing Counsel for the respondents.

Coram: Hon'ble Mr. Justice Irashad Hussain, J.
Hon'ble Mr. Justice J.C.S. Rawat, J.

Dated: 2nd September 2004.

P.C.

The petitioner has a grievance on account of his alleged mid term transfer on administrative ground. It is stated that under political pressure from a Minister the transfer has been made.

Learned counsel drew attention to the letter dated 14.07.2004 (Annexure-2) sent by the State Minister, Sugarcane Development and Sugar Industries to the Principal Secretary, Education Department, Uttaranchal asking for the transfer of the petitioner to another district. It is also stated that the Minister was against him on account of the complaint made by one of his acquaintance whose daughter had failed in the examination and who wanted the daughter to be passed after giving some consideration. Apart this, Shri Khajan Singh – a 4th Class Employee of the school submitted the 8th passed transfer certificate for seeking the admission of Km. Vineeta in class IX. Later on, the certificate was found forged. On the instruction of D.I.O.S., an FIR was lodged by the petitioner against Shri Khajan Singh and he was put in suspension and initiated departmental proceedings against him. Shri Khajan Singh is the

close relative of the State Minister. Considering these aspects of the matter it is directed that the respondent-authorities shall consider the representation of the petitioner, which shall be submitted by the petitioner within a period of 7 (seven) days from today, and the same shall be disposed of by a speaking order in three weeks. Till then the status quo shall be maintained.

With above observation, the petition is finally disposed of.

(J.C.S. Rawat, J.) **(Irshad Hussain, J.)**

ISB